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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/772,502  
Applicants : David B. Rozema et al.  
Filed : 02/05/2004  
Art Unit : 1636  
Examiner : Epps-Ford, Janet L.  
Docket No. : Mirus.042.03

For: **Polyvinylethers for Delivery of Polynucleotides to Mammalian Cells**

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.132

Dear Commissioner:

I, David B. Rozema, hereby declare as follows:

1. David B. Rozema is an inventor of the above captioned application and of U.S. Patent 7,098,032 and US Patent Publication US2003/0026841.
2. I am the inventor of a composition comprising a nucleic acid and a poly(vinyl ether) polymer random copolymer and the polyvinylether random copolymers which comprise cationic monomeric units and alkyl or aryl monomeric units described in U.S. Patent 7,098,032 and US Patent Publication US2003/0026841. Thus, the disclosure in U.S. Patent 7,098,032 and US Patent Publication US2003/0026841 relied upon for rejection of the above captioned application is a description of my own previous work and is not by another.
3. The inventions disclosed in U.S. Application No. 10/772,502, U.S. Patent 7,098,032 and US Patent Publication US2003/0026841 were, at the time their invention, owned by, or subject to an obligation of assignment to, Roche Madison Inc, formerly Mirus Bio Corporation.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
David B. Rozema

10/13/09  
date